

State of South Dakota

SEVENTY-FIFTH SESSION
LEGISLATIVE ASSEMBLY, 2000

400D0367

SENATE COMMERCE COMMITTEE

ENGROSSED NO. **SB31** - 2/9/00

This bill has been extensively amended (hoghoused) and may no longer be consistent with the original intention of the sponsors.

Introduced by: The Committee on Commerce at the request of the Department of Commerce and Regulation

1 FOR AN ACT ENTITLED, An Act to require the use of safety belts by passenger vehicle
2 occupants under eighteen years of age and to revise certain provisions regarding enforcement
3 of the seat belt requirement.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

5 Section 1. That § 32-38-1 be amended to read as follows:

6 32-38-1. Except as provided in chapter 32-37 and § 32-38-3, ~~every operator and front seat~~
7 ~~passenger~~ any adult who is in the front seat and any person under the age of eighteen who is in
8 the front or any back seat of a passenger vehicle operated on a public highway in this state shall
9 wear a properly adjusted and fastened safety seat belt system, required to be installed in the
10 passenger vehicle when manufactured pursuant to Federal Motor Vehicle Safety Standard
11 Number 208 (49 C.F.R. 571.208) in effect January 1, 1989, at all times when the vehicle is in
12 forward motion. The driver of the passenger vehicle shall secure or cause to be secured a
13 properly adjusted and fastened safety seat belt system on any passenger in the ~~front seat~~ vehicle
14 who is at least five years of age but younger than eighteen years of age. Any violation of this
15 section is a petty offense. Any violation of this section is not a moving traffic offense under the

1 provisions of § 32-12-49.1.

2 Section 2. That § 32-38-5 be repealed.

3 ~~—32-38-5. Enforcement of this chapter by state or local law enforcement agencies shall be~~

4 ~~accomplished as a secondary action. A violation of this chapter is a petty offense.~~

1 **BILL HISTORY**

2 1/11/00 First read in Senate and referred to Commerce. S.J. 19

3 1/13/00 Scheduled for Committee hearing on this date.

4 1/13/00 Deferred by Chair.

5 1/20/00 Scheduled for Committee hearing on this date.

6 1/20/00 Deferred by Chair.

7 1/27/00 Deferred by Chair.

8 1/27/00 Scheduled for Committee hearing on this date.

9 2/5/00 Scheduled for Committee hearing on this date.

10 2/8/00 Commerce Hog Housed.

11 2/8/00 Scheduled for Committee hearing on this date.

12 2/8/00 Commerce Do Pass Amended, Passed, AYES 4, NAYS 3. S.J. 357